



March 26, 1997

Suite 1010
511 Union Street
Nashville, TN 37219

David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

Re: Docket No. 97-00309

Dear Mr. Waddell:

At the March 4, 1997, Tennessee Regulatory Authority conference, the Directors asked whether BellSouth had agreed to provide other state commissions with advance notice of BellSouth's intent to file its 271 application with the FCC, and also whether any other state commissions had ordered BellSouth to provide with its advance notice a copy of the application BellSouth intends to file with the FCC. In order to assist the Directors in obtaining answers to these questions, AT&T respectfully submits the following information.

Thus far, in seven other states in its territory, BellSouth has agreed to submit, or has been ordered by state commissions to submit advance notification of its intention to apply to the FCC under Section 271 of the Act. No state commission has expressly required BellSouth to file at that same time a copy of the application BellSouth intends to file at the FCC. However, each state commission has ordered BellSouth to file with its notice to the state commission, evidence BellSouth intends to rely on to demonstrate to the FCC that BellSouth has met the requirements of Section 271. Such information is the same information BellSouth will have to include in its FCC application. Thus, each state commission has, in effect, ordered BellSouth to file its FCC application with the state commission when BellSouth provides advance notice to the state commission of its intent to file at the FCC.

For convenience, the following is a summary of the advance notification and information submission requirements ordered to date by state commissions in BellSouth's territory. Attached to this letter are the orders from the state commissions reflecting these requirements.

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EXECUTIVE SECRETARY

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PLEASE

DO NOT REMOVE

ALABAMA

Docket No. 25835
Order Issued: 02/20/97

Advance Notification Requirement: 90 days (ordered)
Additional Information Required: Yes.

Page (2), 2nd paragraph

IT IS, THEREFORE ORDERED BY THE COMMISSION, That BellSouth Telecommunications, Inc. shall file at least 90 days in advance a notice of its intention to file a Petition for in-Region, interLATA operating authority with the Federal Communications Commission pursuant to [Section 271 of the Telecommunications Act of 1996]. The notification required herein shall be accompanied by all the information requested in Appendix "A" hereto.

Page (2), 3rd paragraph

IT IS FURTHER ORDERED BY THE COMMISSION, That BellSouth Telecommunications Inc. shall file any additional information request by the Commission in this cause which is deemed necessary to determine whether BellSouth Telecommunications, Inc. has met all the requirements of [Section] 271(c) of the Telecommunications Act of 1996. The Commission may, at its discretion establish a hearing to evaluate BellSouth Telecommunications, Inc.'s compliance with the requirements of [Section] 271.

FLORIDA

Docket No. 960786-TL
Issued: 01/27/97

Advance Notification Requirement: 60 days (agreed to by BellSouth)
Additional Data Required: Yes

Page(3), Ordering clause (2)

ORDERED that we hereby acknowledge BellSouth Telecommunications, Inc. representation as outlined in Part B. of this Order

Page (3), Paragraph (B) BellSouth Representation

We [the PSC] note that BellSouth states that it will: 1) provide us with sixty (60) days advance notice of filing its application with the FCC; 2) concurrent with the sixty days advance notice, identify all of the agreements it believes have met the competitive checklist, and identify to the extent it knows, whether it will file pursuant to Section 271(C)(1)(A) and /or(B); and 3) twenty-five (25) days before it files its application with the FCC, provide all of the evidence it will file with the FCC to this Commission and identify whether it is requesting interLATA authority pursuant to Section 271(C)(1)(A) and/or(B).

GEORGIA

Docket No. 6863
Order Issued: 12/17/96

Advance Notification Requirement: 60 days (ordered)
Additional Information Required: Yes; evidentiary hearings have been conducted, and the PSC has rejected BellSouth's Statement of Generally Available Terms and Conditions.

Page (2), last paragraph

The Commission is specifically soliciting comments and information to form an evidentiary basis upon which it can determine whether BST has met the requirements to provide in-region interLATA service and what standards and criteria the various parties believe are appropriate in order to determine whether those requirements have in fact been met. Evidence related to the appropriate standards to apply will be of particular interest to the Commission.

Page (3), 2nd ordering clause

ORDERED FURTHER, not less than sixty (60) days prior to the application to the FCC, BST shall notify the Commission of its intent to file an application with the FCC.

KENTUCKY

Case No. 96-608
Order Issued: 2/14/97

Advance Notification Requirement: 90 days (ordered)
Additional Information Required: Yes

On February 7, 1997, AT&T Communications of the South Central States, Inc. ("AT&T") moved for full intervention in this proceeding and further moved that the Commission establish a procedural schedule. In addition, AT&T requested that the Commission require BellSouth Telecommunications, Inc. ("BellSouth") to notify it no later than 90 days prior to filing an application with the Federal Communications Commission

("FCC") for authority to provide in-region interLATA service in Kentucky. AT&T further requested that the Commission require BellSouth to respond to data requests attached as Exhibit C to the motion.

After considering the motion and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

- 1. AT&T's motion for intervention is granted.*
- 2. Within 30 days of the date of this Order, BellSouth shall respond to the data requests set forth in AT&T's Exhibit C to its February 7, 1997 motion and shall remain under a continuing obligation to supplement its responses as appropriate.*
- 3. BellSouth shall notify the Commission and other parties to this proceeding no later than 90 days before filing its application with the FCC for authority to provide in-region interLATA service in Kentucky.*

LOUISIANA

Docket No. U-22252
Order Issued: 2/19/97

Advance Notification Requirement: 120 days (ordered)
Additional Information Required: Yes; procedural schedule adopted to allow meaningful input to the FCC.

On 2/19/97 the Louisiana Public Service Commission voted to approved the LAPSC Staff proposed procedural schedule submitted to the LAPSC by letter on 2/7/97.

LAPSC Staff Letter dated 2/7/97
Page (2), 3rd paragraph

The best way to establish a procedural schedule at the state level in a manner that will allow meaningful input at the FCC level is to base the procedural schedule on BellSouth's filing of a Notice of Intention to file a Section 271 Application with the FCC. The Staff proposal recommends that BellSouth notify the Commission not less than 120 days prior to the date it intends to file an Application with the FCC.

NORTH CAROLINA

Docket No. P-55-, SUB 1022
Issued: 08/21/96

Advance Notification Requirement: 90 days (ordered)
Additional Data Required: Yes

Pages (1-2,) starting with paragraph (2)

After careful consideration, the Chairman concludes that good cause exists to require BellSouth Telecommunications, Inc. (BellSouth) to do the following:

2. *Not less than ninety days prior to the application to the FCC, BellSouth shall notify the Commission of its intent to file and application with the FCC. Such notification shall include:*

a. *The evidence to be relied upon to show that BellSouth has met either the requirements of Section 271(c)(1)(A) relating to the presence of a facilities-based carrier or Section 271(c)(1)(B) relating to a statement of generally available terms and conditions.*

b. *The evidence to be relied upon to show that each requirement of the Section 271 competitive checklist has been met.*

c. *The evidence to be relied upon to show that the extent to which BellSouth is providing access and interconnection to its network facilities for the network facilities of one or more unaffiliated competing providers of telephone exchange service to residential and business subscribers.*

d. *The evidence to be relied upon to show compliance with the public interest requirement of Section 271.*

It is the Chairman's intent that the Commission conduct a proceeding so that the Commission will be prepared to respond to the FCC request for consultation. Once BellSouth has made its filings in compliance with the provisions above, a further Order will promptly be issued detailing further procedure.

SOUTH CAROLINA

Docket NO. 96-018-C
Order NO. 96-753
Issued: 10/31/96

Advance Notification Requirement: 120 days (ordered)
Additional Information Required: Yes

Page (1), 2nd paragraph

In preparation for assimilation of this information, Staff has proposed a Plan to assist in preparing for a consultant with the FCC. The seven (7) page plan and its cover sheet are attached to this Order. We hereby adopt the plan in full and incorporated it by reference herein. We note that the Plan is based on the "checklists" provided in the Act and is to be followed in furtherance of the goals of the Act. We hereby reserve the right to amend this Plan if necessary in the future.

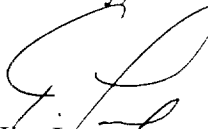
Staff 271 Plan, issued 10/4/96, page (2)

- A. *BellSouth will be asked to notify the PSC as soon as possible but not less than 120 days before they apply with the FCC for authority to enter into the interLATA market.*
- B. *BellSouth will file the responses to the questions that will be attached to the order on the same day when they notify PSC of their decision to apply for authority with the FCC.*

March 26, 1997
Docket No. 97-00309

We hope that this information is responsive to the Directors' request for information.

Sincerely,



Jim Lamoureux

cc: All parties of record

STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P O BOX 991
MONTGOMERY ALABAMA 36101-0991

Rec'd. 2/24/97 - H
cc: fx - Jim L;
Mail - Pat Wingo

JIM SULLIVAN, PRESIDENT
JAN COOK, ASSOCIATE COMMISSIONER
CHARLES D. MARTIN, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.
SECRETARY

BELLSOUTH TELECOMMUNICATIONS, INC.,

IN RE: Notification of intention to
file a §271 petition for in-region
interLATA authority with the FCC
pursuant to the
Telecommunications Act of 1996.

DOCKET 25835

ORDER

BY THE COMMISSION:

Pursuant to §271 of the Telecommunications Act of 1996 (the 96 Act), Regional Bell Operating Companies (RBOCs) may petition the Federal Communications Commission (the FCC) to provide in-region interLATA toll service upon the satisfaction of certain conditions enumerated specifically at §271(c). The FCC must render its determination on §271 petitions within 90 days. In reaching its decision on the state-by-state petitions, the FCC is required by §271(d)(2)(B) to consult with affected State Commissions in order to verify whether the RBOC in question has complied with the requirements of §271(c) in their jurisdictions. The FCC's recently established procedures governing §271 petitions require the State Commissions to submit certification of the RBOC's compliance with the requirements of §271(c) within 20 days of the FCC's publication of a notice indicating that a §271 petition has been filed.

Given the complexities of the requirements of §271(c) and the fact that §271 petitions for in-region interLATA authority are anticipated to be quite voluminous, this Commission must prepare in advance for its participation before the FCC when BellSouth Telecommunications, Inc. (BellSouth) makes its §271 filing for Alabama. In order to allow for the timely accumulation of the information which will be necessary for this Commission to fulfill its role in the §271 process, we herein find that BellSouth should be ordered to notify the Commission at least 90 days in advance of their intention to file a §271 petition for in-region interLATA authority with FCC. We further find that the aforementioned notification should be accompanied by the information requested in Appendix "A" hereto. The information required by Appendix "A" closely corresponds to the requirements of §271(c) and shall be reviewed by the Commission upon its filing. The Commission will then determine whether

DOCKET 25835 - #2

further information is necessary, or whether a public hearing will be required to address BellSouth's compliance with the provisions of §271(c). We believe our actions herein to be just, reasonable, and in the interest of the public.

IT IS, THEREFORE, ORDERED BY THE COMMISSION, That BellSouth Telecommunications, Inc. shall file at least 90 days in advance a notice of its intention to file a Petition for In-Region, InterLATA operating authority with the Federal Communications Commission pursuant to §271 of the Telecommunications Act of 1996. The notification required herein shall be accompanied by all the information requested in Appendix "A" hereto. In the event that BellSouth Telecommunications, Inc. intends to file a §271 petition with the FCC in less than 90 days from the effective date of this order, BellSouth Telecommunications, Inc. shall so advise the Commission in writing and shall immediately commence efforts to comply with the requirements set forth in this Order.

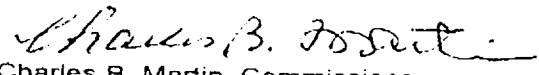
IT IS FURTHER ORDERED BY THE COMMISSION, That BellSouth Telecommunications, Inc. shall file any additional information requested by the Commission in this cause which is deemed necessary to determine whether BellSouth Telecommunications, Inc. has met all the requirements of §271(c) of the Telecommunications Act of 1996. The Commission may, in its discretion establish a hearing to evaluate BellSouth Telecommunication, Inc.'s compliance with the requirements of §271.

IT IS FURTHER ORDERED BY THE COMMISSION, That jurisdiction in this cause is hereby retained for the issuance of any further order or orders as the Commission may deem just and appropriate.

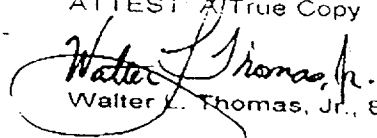
IT IS FURTHER ORDERED, That this Order shall be effective as of the date hereof.

Done at Montgomery, Alabama, this 20th day of February, 1997

ALABAMA PUBLIC SERVICE COMMISSION


Jim Sullivan, President
Jan Cook, Commissioner
Charles B. Martin, Commissioner

ATTEST: A True Copy


Walter L. Thomas, Jr., Secretary

DOCKET 25835

APPENDIX A

Page 1 of 2

1. Provide information to the Commission demonstrating that BellSouth meets the requirements of Section 271(c)(1)(A) or Section 271(c)(1)(B) of the Telecommunications Act of 1996.
2. Provide information to the Commission demonstrating that BellSouth has provided interconnection in accordance with requirements of Sections 251(c)(2) and 252(d)(1) of the Telecommunications Act of 1996 and applicable rules promulgated by the FCC. Identify all entities that have requested interconnection and the status of their requests including a description of the specific types of interconnection requested and/or received.
3. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to network elements in accordance with the requirements of Sections 251(c)(3) and 252(d)(1) of the Telecommunications Act of 1996 and applicable rules promulgated by the FCC. Identify all entities that have requested unbundled elements or resale and the status of their requests, including a description of the unbundled elements and/or services sought for resale.
4. Pursuant to 271(c)(2)(B)(III) of the Telecommunications Act of 1996 and applicable rules promulgated by the FCC, provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to the poles, ducts, conduits, and right-of-way owned or controlled by BellSouth at just and reasonable rates in accordance with the requirements of Sections 224 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996.
5. Provide information to the Commission demonstrating that BellSouth has unbundled the local loop transmission between the central office and the customer's premises from local switching or other services, pursuant to applicable rules promulgated by the FCC. Include the number, type and location of BellSouth switches in Alabama and indicate how many are connected to local loops served by competitors.
6. Provide information to the Commission demonstrating that BellSouth has unbundled the local transport on the trunk side of a wireline local exchange carrier switch from switching or other services, pursuant to applicable rules promulgated by the FCC.
7. Provide information to the Commission demonstrating that BellSouth has unbundled local switching from transport, local loop transmission, or other services, pursuant to applicable rules promulgated by the FCC.
8. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to the following, pursuant to applicable rules promulgated by the FCC:
 - (a). 911 and E911 services;
 - (b). directory assistance services to allow the other telecommunications carrier's customers to obtain telephone numbers; and
 - (c). operator call completion services.
9. Provide information to the Commission demonstrating that BellSouth has provided white pages directory listings for customers of other telecommunications carrier's telephone exchange services, pursuant to 271(c)(2)(B)(VIII) and applicable rules promulgated by the FCC.
10. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to the telephone numbers for assignment to the other telecommunications carrier's telephone exchange service customers, pursuant to 271(c)(2)(B)(ix) and applicable rules promulgated by the FCC.
11. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to databases and associated signaling necessary for call routing and completion, pursuant to 271(c)(2)(B)(x) and applicable rules promulgated by the FCC.
12. Provide information to the Commission demonstrating that BellSouth has provided number portability, pursuant to 271(c)(2)(B)(xi) and applicable rules promulgated by the FCC.

DOCKET 25835
APPENDIX A
Page 2 of 2

13. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3) of the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(xii) and applicable rules promulgated by the FCC.
14. Provide information to the Commission demonstrating that BellSouth has provided reciprocal compensation arrangements in accordance with the requirements of section 252(d)(2) of the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(xiii) and applicable rules promulgated by the FCC.
15. Provide information to the Commission demonstrating that BellSouth has provided telecommunications services available for resale in accordance with the requirements of section 251(c)(4) and 252(d)(3) of the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(xiv) and applicable rules promulgated by the FCC.
16. If known, provide the Commission with information identifying the number of access lines in the state that are served by entities that BellSouth considers to be local competitors versus the number of access lines that BellSouth serves in the state.
17. If known, provide the Commission with information identifying the extent to which each competitor of BellSouth is using its own facilities, or using, unbundled elements or resold services obtained from BellSouth.
18. Provide the amount of revenues that BellSouth generated in the most recent year preceding this filing from:
 - a. basic local residential services.
 - b. basic local business services.
 - c. intraLATA toll
 - d. access charges
 - e. other types of services.
19. Provide any reports, studies or analyses available, and created within the past year preceding this filing, that contain market share information of BellSouth and local telephone service competitors; or compare volumes of traffic, revenues of BellSouth and local competitors; or evaluate the likely entry, success or rate of growth of competitors or potential competitors.
20. Provide a description and the current status of all complaints made to BellSouth, to the state Commission, the FCC, or to any other governmental authorities by carriers, competitors, or entities that requested interconnection, access or the ability to resell BellSouth services in the State of Alabama.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Consideration of)	DOCKET NO. 960786-TL
BellSouth Telecommunications,	)	ORDER NO. PSC-97-0081-FOF-TL
Inc.'s entry into interLATA	)	ISSUED: January 27, 1997
services pursuant to Section 271)	
of the Federal)	
Telecommunications Act of 1996.)	

The following Commissioners participated in the disposition of this matter:

- ☐ JULIA L. JOHNSON, Chairman
- ☐ SUSAN F. CLARK
- ☐ J. TERRY DEASON
- ☐ JOE GARCIA
- ☐ DIANE K. KIESLING

ORDER ON MOTION FOR ADVANCE NOTICE OF FILING

BY THE COMMISSION:

Pursuant to Section 271(d)(3) of the Telecommunications Act of 1996, the Federal Communications Commission (FCC) has ninety (90) days to issue a written determination approving or denying a Bell Operating Company's (BOC) application for interLATA authority. Further, the FCC is directed to consult with the applicable State Commission before making a determination regarding the BOC's entry into the interLATA market. On June 28, 1996, we opened this docket to begin to fulfill our consultative role. Since that time, the issues to be decided have been identified and extensive discovery has been undertaken.

On November 13, 1996, AT&T Communications of the Southern States, Inc. (AT&T), MCI Telecommunications Corporation, Worldcom, Inc. d/b/a LDDS WorldCom (LDDS) and the Florida Interexchange Carriers Association (FIXCA), collectively the Joint Movants, filed a Joint Motion Requiring Advance Notice of Filing. BellSouth Telecommunications, Inc. (BellSouth) filed its

Memorandum in Opposition on November 21, 1996. Our decision on this matter is set forth below.

A. Request for Advance Notice

In support of their Motion, the Joint Movants state that the tentative issues for this docket were established in Order No. PSC-96-0945-PCO- TL, issued on July 19, 1996. Since that time the parties have engaged in discovery in preparation for the future hearing.

The Joint Movants emphasize that our decision on the recommendation to be made to the FCC is of tremendous importance to Florida's competitive providers of telecommunications service, and hence, to Florida consumers. In addition, they state that we must make our determination as to BellSouth's competitive position within a very short time period. Thus, the Joint Movants argue that the magnitude of the task, combined with the brevity of the time period within which we must make our recommendation, make advance preparation essential.

Further, the Joint Movants assert that other state Commissions have required BellSouth to provide advance notice. The Joint Movants cite to the South Carolina Public Service Commission and the North Carolina Utilities Commission as examples.

Specifically, the Joint Movants ask that we order BellSouth to provide: 1) 120 days advance notice to the Commission and the parties in this docket of its intent to apply to the FCC for interLATA authority, and 2) all evidence, including prefiled testimony and exhibits, upon which BellSouth intends to rely in response to the issues identified in Order No. PSC-96-0945-PCO-TL and in any other procedural order issued before that date.

On November 21, 1996, BellSouth filed its Memorandum in Opposition to the Joint Motion. BellSouth argues that granting the Motion would force it to postpone the filing of its Section 271 application an additional four months beyond the date upon which it could have submitted a sufficient application. BellSouth also argues that granting the Joint Movants' Motion would contravene Section 271 and our own procedural order in this case. BellSouth asserts that, as a result, the process would be delayed needlessly, and we, as well as the FCC, would have to rely on outdated information in evaluating BellSouth's application to provide long distance service in Florida.

In support of its argument, BellSouth asserts that Section 271 places the decision as to when to file an application to obtain interLATA authority in the applicant's hands; it does not require a pre-filing notice or any other procedural prerequisite to the filing. BellSouth also asserts that the Joint Movants' argument that the expedited application approval process compels the requested procedure is belied by the events that have transpired over the past several months. BellSouth notes that FIXCA alone has propounded over sixty interrogatories, as well as numerous requests for production of documents. BellSouth further indicates that the discovery has been voluminous and quite broad. In addition, even more discovery continues to be available to the interexchange carriers.

BellSouth notes that the Joint Movants will have the opportunity to examine prefiled testimony and detailed prehearing statements prior to the hearing. BellSouth adds that any claim by the carriers that the expedited nature of this proceeding puts them at a disadvantage is spurious because the individual interexchange carriers have already participated in detailed arbitration hearings in which they were afforded full discovery rights concerning local interconnection. According to BellSouth, many of the issues covered in these arbitrations will be central to this 271 proceeding.

Furthermore, BellSouth asserts that the Joint Movants are clearly incorrect that since two states have sought to impose a prefiling requirement, the Florida Commission can do the same without detriment to BellSouth. BellSouth argues that Section 271 envisions state-specific applications and the granting of authority on a state-by-state basis. Thus, each state's rules must stand alone, as must each application for interLATA authority. BellSouth asserts that the approach we have taken, that of allowing full discovery prior to a filing combined with an expedited prehearing schedule after filing, is the better approach.

BellSouth states that the Joint Movants' Motion is contrary to the law and the facts presented. Thus, BellSouth concludes that the Motion is merely an attempt to obstruct and delay interLATA competition and the benefits it will bring to Florida consumers.

Section 271(2)(B), Consultation With State Commissions, provides:

Before making any determination under this subsection, the Commission shall consult with the State Commission of any State that is the subject of the application in order to verify compliance of the Bell operating company with the requirements of subsection (c).

Section 271(3), Determination, provides in pertinent part:

Not later than 90 days after receiving an application under paragraph (1), the Commission shall issue a written determination approving or denying the authorization requested in the application for each State...

The provisions cited above provide that the FCC will make a determination no later than ninety (90) days after receiving an application for interLATA authority. The Joint Movants have cited no authority that would permit us to add four months to the application process. Furthermore, we are concerned that evidence filed with us 120 days in advance could differ substantially from that which is eventually filed with the FCC. If we were to conduct a hearing during the 120 day pre-filing period and BellSouth were to rely upon evidence different from what BellSouth files with the FCC, we would not be able to rely on the record from the proceeding to fulfill our role in this process. Therefore, the Joint Movant's Motion for Advance Notice of Filing is denied.

B. BellSouth's Representation

Although we deny the Joint Movants' motion, we note that BellSouth states that it will: 1) provide us sixty (60) days advance notice of filing its application with the FCC; 2) concurrent with the sixty (60) days advance notice, identify all of the agreements it believes have met the competitive checklist, and, identify to the extent it knows, whether it will file pursuant to Section 271(C)(1)(A) and/or (B); and 3) twenty-five (25) days before it files its application with the FCC, provide all of the evidence it will file with the FCC to this Commission and identify whether it is requesting interLATA authority pursuant to Section 271(C)(1)(A) and/or (B).

It is, therefore,

ORDERED by the Florida Public Service Commission that the Joint Movants' Motion for Advance Notice of Filing is denied. It is further

ORDERED that we hereby acknowledge BellSouth Telecommunications, Inc.'s representation as outlined in Part B. of this Order.

By ORDER of the Florida Public Service Commission, this 27th day of January, 1997.

/s/ Blanca S. Bayó
BLANCA S. BAYÓ, Director

Division of Records and Reporting

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-904-413-6770.

(S E A L)

MMB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), *Florida Statutes*, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, *Florida Statutes*, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, *Florida Administrative Code*, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, *Florida Administrative Code*, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, *Florida Administrative Code*. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

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COMMISSIONERS:

DAVID N. (DAVE) BAKER, CHAIRMAN
ROBERT B. (BOBBY) BAKER
MAC BARBER
BOB DURDEN
STAN WISE



DEBORAH K. FLANNAGAN
EXECUTIVE DIRECTOR
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EXECUTIVE SECRETARY

Georgia Public Service Commission

244 WASHINGTON STREET, S.W.
ATLANTA, GEORGIA 30334-5701
(404) 656-4501 OR 1 (800) 282-5813

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DEC 17 1996

DOCKET NO. 6863-U

EXECUTIVE SECRETARY
G.P.S.C.

IN RE: Consideration of BellSouth Telecommunications, Inc.'s Entry Into
InterLATA Services Pursuant to Section 271 of the Telecommunications
Act of 1996.

SECOND REVISED PROCEDURAL AND SCHEDULING ORDER

Pursuant to Section 271(d)(3) of the Telecommunications Act of 1996 (the "Act"), the Federal Communications Commission ("FCC") has ninety (90) days after receiving an application to provide interLATA services originating in any in-region state by a Bell operating company ("BOC") to issue a written determination approving or denying the application for interLATA authority. The Act at Section 271 further directs the FCC to consult with the Department of Justice and the applicable State Commission before making a determination regarding the BOC's entry into the interLATA market. The FCC has issued a Public Notice establishing various procedural requirements and policies relating to the FCC's processing of BOC applications to provide in-region interLATA services.

The Commission issued a Procedural and Scheduling Order setting this matter down for hearing on August 23, 1996. BellSouth Telecommunications, Inc. ("BellSouth" OR "BST") filed with the Commission a Motion To Modify Procedural Schedule (the "Motion") on September 6, 1996. The Motion requested an extension be granted. In its Administrative Session on September 17, 1996, the Commission voted to revise the schedule in this proceeding. After a meeting with all interested parties, the Commission voted at its December 17, 1996 Administrative Session to further revise the schedule as follows:

Schedule

January 3, 1997

On or before January 3, 1997, BellSouth is directed to prefile an original and 25 copies of its direct testimony which includes responses to and evidence of the questions contained in Appendix A by 4:00 p.m. in the Executive Secretary's office.

January 28-31, 1997

On January 28, 1997 beginning at 10:00 a.m., the Commission will convene the hearing regarding BellSouth Telecommunications, Inc.'s pre-filed testimony. Parties will have the opportunity to cross-examine witnesses and to present evidence.

February 7, 1997

On or before February 7, 1997, all parties are directed to prefile an original and twenty-five copies of their testimony by 4:00 p.m. in the Executive Secretary's office.

February 14, 1997

On or before February 14, 1997, BellSouth is directed to prefile an original and 25 copies of its testimony by 4:00 p.m. in the Executive Secretary's office.

February 25-28, 1997

On February 25, 1997 beginning at 10:00 a.m., the Commission will reconvene to hear testimony from all parties including the rebuttal testimony. Parties will have the opportunity to cross-examine witnesses and to present evidence.

The Commission advises the parties that all findings and determinations contained in the previous Procedural and Scheduling Orders are incorporated by reference herein and remain in effect. The adjustments to the previous schedule include the addition of another round of hearings. The Commission is specifically soliciting comments and information to form an evidentiary basis upon which it can determine whether BST has met the requirements to provide in-region interLATA service and what standards and criteria the various parties believe are appropriate in order to determine whether those requirements have in fact been met. Evidence related to the appropriate standards to apply will be of particular interest to the Commission.

Notice of Intent to file Application with the FCC

The FCC has issued a Public Notice establishing various procedural requirements and policies relating to the FCC's processing of BOC applications to provide in-region interLATA services. The FCC's notice provides only 20 days after the application has been filed with the FCC for the state Commissions to fulfill its consultative role. Therefore, the Commission directs BST notify this Commission of its intent to file its application not less than sixty (60) days prior to the filing of the application with the FCC.

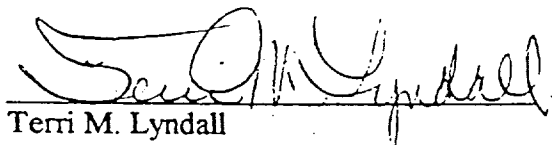
WHEREFORE IT IS ORDERED, the Commission hereby adopts the procedures, schedules and statements regarding the issues set forth within this Procedural and Scheduling Order and Appendix "A",

ORDERED FURTHER, not less than sixty (60) days prior to the application to the FCC, BST shall notify the Commission of its intent to file an application with the FCC.

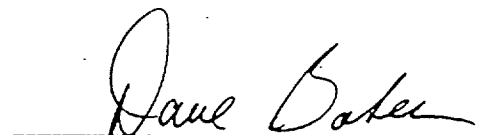
ORDERED FURTHER, a motion for reconsideration, rehearing or oral argument or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission.

ORDERED FURTHER, jurisdiction over these matters is expressly retained for the purpose of entering such further order or orders as this commission may deem just and proper.

The above action by the Commission in its Administrative Session on December 17, 1996.


Terri M. Lyndall
Executive Secretary

Date 12/17/96


Dave Baker
Chairman

Date 12/17/96

In Re: Docket No. 6863-U Consideration of BellSouth Telecommunications, Inc.'s Entry Into InterLATA Services Pursuant to Section 271 of the Federal Telecommunications Act of 1996.

1. Has BellSouth met the requirements of Section 271(c) (1) (A) of the Telecommunications Act of 1996?
 - a. The identity of the entities that have been certified or otherwise authorized by Georgia as providers of (i) facilities-based local exchange service, (ii) resold local exchange service and (iii) exchange access services;
 - b. Whether and the extent to which each such entity is providing business exchange service, residential exchange service, business exchange access service or residential exchange access service (identify special or switched access), or, if the entity is not providing any of these services now, whether it has announced that it plans to offer any of these services and if so, when;
 - c. The identity of the entities that have requested interconnection or unbundled elements from BellSouth or ability to resell BellSouth's services as of the time of filing of the application, specifying the types of interconnection, unbundled elements or services requested, the date each request was made, and the requests with respect to which BellSouth and the requesting entity have entered into a binding agreement, and provide a complete copy of any agreement or agreements (including prices charged) and proof of state approval under Section 252 of the Telecommunications Act of 1996 if any;
 - d. The number of access lines in Georgia that are served by the entity or entities BellSouth considers to be local competitors; the number and location of BellSouth's switches in Georgia that are connected to local loops served by competitors; the scope of the geographic areas, and the number and types of customers, for which the competitor's

services are available; the extent to which each competitor is using unbundled elements or resold services obtained from BellSouth; a description of the competitor's facilities in operation in BellSouth's service area, including the number, type and location of switches that the competitor has in the state; whether the competitor is currently advertising its service offerings; a copy of any tariffs filed by competitors; whether the competitor is currently constructing or significantly expanding those facilities, and if so, when the construction/expansion is expected to be completed; the amount of revenues each competitor derived from the state in the most recent year preceding that in which the application is filed, indicating amounts derived from basic local residential services, basic local business services, intraLATA toll, access charges, and other types of services; and the average provisioning intervals and maintenance times for services BellSouth provides to competitors compared with those it provides to itself;

- e. Any reports, studies or analyses available, and created within the past year preceding BellSouth's application, that contain data on market shares of BellSouth and local telephone service competitors, or compare volumes of traffic, revenues, or facilities of BellSouth and local competitors, or evaluate the likely entry, success or rate of growth of competitors or potential competitors; and
 - f. A description and current status of all complaints made to BellSouth, to the Georgia Public Service Commission, to the Federal Communication Commission (FCC) or to other governmental authorities by other carriers, competitors, or entities that have requested interconnection, access or the ability to resell BellSouth services.
2. Has BellSouth provided interconnection in accordance with the requirements of Sections 251(c) (2) and 252 (d) (1) of the Telecommunications Act of 1996, pursuant to Section 271 (c) (2) (B) (I) and applicable rules promulgated by the FCC?

- a. What points are available for interconnection with BellSouth, whether those points include physical collocation exists, as well as the pricing methodology used for such interconnection, whether the rates, terms and conditions for interconnection were negotiated or arbitrated.
- ::
3. Has BellSouth provided nondiscriminatory access to network elements in accordance with the requirements of Sections 251 (c) (3) and 252 (d) (1) of the Telecommunications Act of 1996, pursuant to Section 271 (c) (2) (B) (ii) and applicable rules promulgated by the FCC?
 - a. What elements has BellSouth agreed to unbundle, whether local loop transmission, local transport, local switching are offered on an unbundled basis by BellSouth, as well as the pricing methodology used for such unbundled network elements; which elements have been requested by entities seeking interconnection and access, how quickly can BellSouth cut over loops to an entity once they have made a request, what provisioning, testing, and cut over procedures have been established to provide unbundled elements, and what is the record concerning BellSouth's responsiveness to requests for unbundled elements, quality of service and offerings, resolution of provisioning and operation problems, and ability to provide quantity requested within the time requested.
 - b. Are any parts of BellSouth's service area excluded from full compliance with the competitive checklist in either access and interconnection agreements or the general statement of terms and conditions, if applicable. If so, give the reasons for such exclusion.
- ::
4. Has BellSouth provided nondiscriminatory access to the poles, ducts, conduits, and rights-of-way owned or controlled by BellSouth at just and reasonable rates in accordance with the requirements of Section 224 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996, pursuant to Section 272 (c) (2) (B) (iii) and applicable rules promulgated by the FCC?

- a. Identify and describe any differences that exist in the ability of BellSouth and other providers to have access to poles, ducts and rights-of-way, and the prices charged by BellSouth for such access to poles ducts and rights-of-way it owns or controls; identify and describe any problems that have arisen in accessing poles, ducts and rights-of-way that are owned or controlled by municipalities, utilities, or entities other than BellSouth.
5. Has BellSouth provided local loop transmission from the central office to the customer's premises, unbundled from local switching or other services pursuant to Section 271(c) (2) (B) (iv) and applicable rules promulgated by the FCC?
6. Has BellSouth provided local transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services pursuant to Section 271(c) (2) (B) (v) and applicable rules promulgated by the FCC?
7. Has BellSouth provided local switching unbundled from transport, local loop transmission, or other services pursuant to Section 271(c) (2) (B) (vi) and applicable rules promulgated by the FCC?
8. Has BellSouth provided nondiscriminatory access to the following, pursuant to Section 271(c) (2) (B) (vii) and applicable rules promulgated by the FCC: (a) 911 and E911 services; (b) directory assistance services to allow the other telecommunications carrier's customers to obtain telephone numbers; and, (c) operator call completion services?
 - a. On what terms has BellSouth provided access to 911 and E911 services, directory assistance services to allow the other carrier's customers to obtain telephone numbers, and operator call completion services.
9. Has BellSouth provided white pages directory listings for customers of other

telecommunications carrier's telephone exchange service, pursuant to Section 271 (c) (2) (B) (viii) and applicable rules promulgated by the FCC?

- a. On what terms has BellSouth provided access to white pages directory listings for customers of other carrier's telephone exchange services.

10. Has BellSouth provided nondiscriminatory access to telephone numbers for assignment to the other telecommunications carrier's telephone exchange service customers, pursuant to Section 271 (c) (s) (B) (ix) and applicable rules promulgated by the FCC?

- a. On what terms does BellSouth provide access to telephone numbers for assignment to the other carrier's telephone exchange service customers.

11. Has BellSouth provided nondiscriminatory access to databases and associated signaling necessary for call routing and completion, pursuant to Section 271(c) (2) (B) (x) and applicable rules promulgated by the FCC?

- a. On what terms does BellSouth provide access to database and associated signaling necessary for call routing and completion, including access to SS7 database and associated signaling.

12. Has BellSouth provided number portability, pursuant to Section 271 (c) (2) (B) (xi) and applicable rules promulgated by the FCC?

- a. Whether number portability is being provided on an interim or full basis, the characteristics of the interim system and differences between the terms available to BellSouth and its local competitors, the pricing methodology used to determine charges for the type of number portability provided, whether there are quality differences between numbers that

are ported and those that remain serviced by BellSouth, and when full number portability will be implemented.

13. Has BellSouth provided nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of Section 251 (b) (3) of the Telecommunications Act of 1996, pursuant to Section 271 (c) (2) (B) (xii) and applicable rules promulgated by the FCC?
 - a. If local dialing parity has not been provided, whether BellSouth has deployed the capability to provide such parity, or what steps BellSouth has taken towards deployment of local dialing parity.
14. Has BellSouth provided reciprocal compensation arrangements in accordance with the requirements of Section 252(d) (2) of the Telecommunications Act of 1996, pursuant to Section 271 (c) (2) (B) (xiii) and applicable rules promulgated by the FCC?
 - a. What reciprocal compensation arrangements (including bill and keep arrangements) has BellSouth established with other entities, and what types of reciprocal arrangements for termination of traffic (including any bill and keep arrangements) has BellSouth had with other carriers as of the enactment of the Telecommunications Act of 1996?
15. Has BellSouth provided telecommunications services available for resale in accordance with the requirements of Sections 251 (c) (4) and 252 (d) (3) of the Telecommunications Act of 1996, pursuant to Section 272 (c) (2) (B) (xiv) and applicable rules promulgated by the FCC?
 - a. Whether all of the services offered by BellSouth have been made available for resale on the same terms previously offered, and if not, which services have been withdrawn or

changed in terms with respect to resale, as well as the percentage discounts offered for resold services, and any restrictions or limitations BellSouth imposes on the resale of its services.

OTHER QUESTIONS:

PUBLIC INTEREST:

- a. Describe the factors that should be evaluated in assessing whether in-region interLATA authorization for BellSouth would be consistent with the public interest, convenience, and necessity. Are current condition such that authorization for BellSouth to provide in-region interLATA service would be consistent with the public interest, convenience, and necessity? If not, why not? If not, what changes are needed before such authorization would be consistent with the public interest, convenience and necessity?
- b. Any reports, studies or analyses available, and created within the past year, regarding BellSouth's wholesale pricing strategies and/or the effect of BellSouth's wholesale offerings on their retail services.
- c. Describe the technical and operational steps that BellSouth has taken in order to fully implement the competitive checklist prior to filing of its application, including changes BellSouth has made to its network, features installed and capabilities added to its network and/or provisioning systems.

COMPLIANCE WITH THE CHECKLIST POST ENTRY:

Do the interconnection agreements that BellSouth has entered into provide for performance standards and penalties for failure to meet such standards with respect to the checklist, and, if not,

have any other means of assuring observance of the checklist once BellSouth enters the interLATA market been implemented?

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION CONCERNING THE)	
PROPRIETY OF PROVISION OF)	
INTERLATA SERVICES BY BELL SOUTH	)	CASE NO.
TELECOMMUNICATIONS, INC. PURSUANT	)	96-608
TO THE TELECOMMUNICATIONS ACT)	
OF 1996)	

O R D E R

On February 7, 1997, AT&T Communications of the South Central States, Inc. ("AT&T") moved for full intervention in this proceeding and further moved that the Commission establish a procedural schedule. In addition, AT&T requested that the Commission require BellSouth Telecommunications, Inc. ("BellSouth") to notify it no later than 90 days prior to filing an application with the Federal Communications Commission ("FCC") for authority to provide in-region interLATA service in Kentucky. AT&T further requested that the Commission require BellSouth to respond to data requests attached as Exhibit C to the motion.

After considering the motion and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

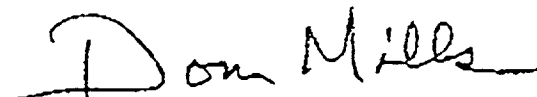
1. AT&T's motion for intervention is granted.
2. Within 30 days of the date of this Order, BellSouth shall respond to the data requests set forth in AT&T's Exhibit C to its February 7, 1997 motion and shall remain under a continuing obligation to supplement its responses as appropriate.

3. BellSouth shall notify the Commission and other parties to this proceeding no later than 90 days before filing its application with the FCC for authority to provide in-region interLATA service in Kentucky.

Done at Frankfort, Kentucky, this 14th day of February, 1997.

By the Commission

ATTEST:


Executive Director

RECEIVED

FEB 07 1997

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE
COMMISSION

In The Matter Of:

INVESTIGATION CONCERNING THE)
PROPRIETY OF PROVISION OF)
INTERLATA SERVICES BY) CASE NO. 96-608
BELLSOUTH TELECOMMUNICATIONS,)
INC. PURSUANT TO THE)
TELECOMMUNICATIONS ACT OF 1996)

* * * * *

MOTION OF AT&T FOR FULL INTERVENTION

AT&T Communications of the South Central States, Inc. ("AT&T"), through counsel, hereby moves the Commission pursuant to 807 KAR 5:001 Section 3(8), for Full Intervention in the matter referred to above initiated by the Commission by its December 20, 1996 Order. The grounds for this Motion are set forth below.

1. AT&T's participation in this case is necessary in order to protect its interest in the Commission's consideration of the criteria set forth in Section 271 of the Telecommunications Act of 1996 (the "Act") as applied to any application by BellSouth Telecommunications, Inc. ("BellSouth") with the FCC for the authority to provide in-region interLATA service in Kentucky.

2. As a significant provider of interLATA services in Kentucky, and an entity whose request for an Interconnection Agreement with BellSouth was heard by the Commission in Case No. 96-482, AT&T has a special interest in the above-styled case which is not now adequately represented.

3. AT&T's intervention in this case will not unduly complicate or disrupt these proceedings. Furthermore, AT&T's intervention will not prejudice the rights of any party to this proceeding.


4. AT&T requests that the Commission immediately issue a Procedural Schedule in this case similar to those adopted by other state commissions in BellSouth's territory and in accordance with the best practices recommended by the National Association of Regulatory Utility Commissions ("NARUC"), which is attached hereto as Exhibit A.

5. Specifically, AT&T requests that this Commission, similar to the Georgia and North Carolina Commissions and NARUC's recommendation, require BellSouth to notify it no less than 90 days prior to BellSouth filing an Application with the FCC for the authority to provide in-region interLATA service in Kentucky setting forth its election under Track A or Track B of Section 271 of the Act. Moreover, the Commission should require BellSouth to provide, along with the above notification, copies of all evidence BellSouth intends to rely upon in support of its FCC Application. A copy of the Procedural Schedule adopted by the Georgia Commission in its January 14, 1997 Order Clarifying Requirement Of Notification Of Intent To File An Application With The FCC in Docket No. 6863-U implementing the above requirements is attached hereto as Exhibit B.

6. In addition, as several other state commissions in BellSouth's service area have done, the Commission should propound to BellSouth the Data Requests attached hereto as Exhibit C. The information sought in these Data Requests attached hereto as Exhibit C will provide the Commission, and all interested parties, with information necessary to determine whether BellSouth has met the criteria contained in Section 271 of the Act.

For the reasons set forth above, AT&T respectfully requests the Commission to grant its Motion For Full Intervention, to require BellSouth to provide 90 days advance notice of its Application with the FCC for authority to provide in-region interLATA service in Kentucky setting forth its basis for such Application (Track A or Track B of Section 271 of the Act), to provide copies of all evidence upon which BellSouth intends to rely, and to propound to BellSouth the Data Requests attached hereto as Exhibit C.

Respectfully submitted,



Eric L. Ison
Holland N. McTyeire, V

GREENEBAUM DOLL & McDONALD PLLC
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101 South Fifth Street
Louisville, Kentucky 40202
(502) 589-4200



Robin D. Dunson

AT&T COMMUNICATIONS OF THE SOUTH
CENTRAL STATES, INC.
Promenade I
1200 Peachtree Street, N.E.
Atlanta, Georgia 30309
(404) 810-8689

COUNSEL FOR AT&T COMMUNICATIONS
OF THE SOUTH CENTRAL STATES, INC.

CERTIFICATE OF SERVICE

A copy of the Motion Of AT&T For Full Intervention was mailed by first-class United States mail, sufficient postage prepaid, to all parties of record this 7th day of February, 1997.

[Handwritten signature]

COUNSEL FOR AT&T COMMUNICATIONS
OF THE SOUTH CENTRAL STATES, INC.

LOU-31272-1

ATTACHMENT

BEST PRACTICES FOR RBOC APPLICATIONS TO PROVIDE IN-REGION INTERLATA SERVICES

- I. As soon as possible, the RBOC should advise the state commission of its plan to file an application with the FCC to provide in-region interLATA service.
- II. Not less than 90 days prior to the application, the RBOC should notify the state commission of its intent to file an application with the FCC.

The notification should include:

- Evidence to be relied on showing that the RBOC has met either the requirements of Section 271(c)(1)(A) relating to the presence of a facilities based carrier or Section 271(c)(1)(B) relating to a statement of terms and conditions.
 - Evidence to be relied upon showing that each requirement of the Section 271 checklist has been met.
 - Evidence to be relied upon showing the extent to which the RBOC is providing access and interconnection to its network facilities for the network facilities of one or more unaffiliated competing providers of telephone exchange service to residential and business subscribers.
 - Evidence to be relied upon showing compliance with the public interest requirement of Section 271. (To ensure a complete record, the RBOC should include evidence on issues that may be relevant to the FCC's decision, including the extent of competition or special unforeseen circumstances.)
- III. At the time evidence is filed with the state commission, the RBOC should provide the materials to the US Department of Justice and the FCC. The RBOC should work with the state commission, US DOJ, and the FCC to assure the confidentiality of the information, as appropriate.

EXHIBIT A

PAGE 1 OF 2

APPENDICES

EXAMPLES OF STATE INITIATIVES ADDRESSING THE SECTION 271 PROCESS

- A NEW YORK PUBLIC SERVICE COMMISSION
 July 15, 1996
 Order Directing NYNEX to File Status Report and Comments on its Compliance with
 Portions of the Telecommunications Act of 1996 and Permitting Responsive Filings
 Case 94-C-0095

- B OHIO PUBLIC UTILITIES COMMISSION
 July 18, 1996
 Entry
 Case No. 96-702-TP-COI

- C ILLINOIS COMMERCE COMMISSION
 July 17, 1996
 Resolution and Notice of Inquiry
 Case 96-NOI-1

- D FLORIDA PUBLIC SERVICE COMMISSION
 July 1996
 Issues List
 Docket No. 960786-TL

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In The Matter Of:

INVESTIGATION CONCERNING THE)	
PROPRIETARY OF PROVISION OF)	
INTERLATA SERVICES BY	)	CASE NO. 96-608
BELLSOUTH TELECOMMUNICATIONS,)	
INC. PURSUANT TO THE)	
TELECOMMUNICATIONS ACT OF 1996)	

* * * * *

**RECOMMENDED DATA REQUESTS TO BE
PROPOUNDED UPON BELLSOUTH BY THE COMMISSION**

It would be appropriate for the Commission, in advance of receiving any Application pursuant to Section 271 of the Telecommunications Act of 1996 (the "Act"), to require BellSouth Telecommunications, Inc. ("BellSouth") to provide answers to the following Data Requests:

1. Interconnection.

For each exchange:

- (a) What are the points at which interconnection is (i) provided or (ii) being offered? Has BellSouth declined to permit interconnection at any points requested by a new entrant?
- (b) What marketplace operational experience has BellSouth had with each interconnection arrangement?

- (c) Does BellSouth provide and offer to provide meet point arrangements, for which it assumes or will assume a share of the costs of building to the interconnection point?
- (d) What are the charges (recurring and nonrecurring) for which interconnection is provided or being offered? What are the methodologies and costs used to determine such charges?
- (e) What limitations (if any) have been imposed by BellSouth on new entrants: requests for interconnection (e.g., one-way trunking, use of different trunk groups for different "types" of traffic)?
- (f) Which carriers have interconnected with BellSouth?
- (g) What are BellSouth's performance standards? Has BellSouth's performance met these standards? What measurements and measurement tools does BellSouth use to ensure such activities are performed in a non-discriminatory and proper manner?
- (h) Has BellSouth received written complaints from new entrants regarding its interconnection policies or practices? Is a log of those complaints kept and retained? What is the basis for such complaints? Have those complaints been resolved, and if so, how?

2. Collocation.

For each exchange:

- (a) At which BellSouth promises, by type (including central offices, serving wire centers, tandem offices, and vaults and other structures on public

- rights of way) and location, is collocation (i) actually being provided, and (ii) being offered? In each such instance, what is the type (i.e., physical or virtual) of that collocation?
- (b) What marketplace operational experience does BellSouth have with each form of collocation?
 - (c) What are the charges (recurring and nonrecurring) at which collocation is provided or offered? What are the methodologies and costs used to determine such charges? What are the other material terms and conditions of applicable collocation arrangements?
 - (d) Has BellSouth imposed any limitations on (i) the premises on which collocation is permitted, (ii) the type of services that other carriers may provide using collocated equipment and space?
 - (e) Does BellSouth permit new entrants to establish interconnections between their networks in BellSouth collocated space?
 - (f) Has BellSouth denied any requests for or related to collocation? If so, what was the request, who made it, when was it made, and why was it denied?
 - (g) At what offices has neither physical nor virtual collocation been requested?
 - (h) What are BellSouth's performance standards (e.g., provisioning intervals, availability and warehousing of space)? Has BellSouth's performance met these standards? What measurements and measurement tools does

BellSouth use to ensure such activities are performed in a non-discriminatory and proper manner?

- (i) Has BellSouth received written complaints from new entrants regarding its collocation policies or practices? Is a log of those complaints kept and retained? What is the basis for such complaints? Have those complaints been resolved, and if so, how?

3. Access to Unbundled Network Elements

For each exchange:

- (a) What are the unbundled network elements to which BellSouth (i) provides access, or (ii) offers to provide access, including each network element identified in the FCC's Docket No. 96-98 order? Are there any network elements to which BellSouth does not currently provide or offer unbundled access, and plans to offer such access in the future? If so, please specify the date by which such access is expected to be available.
- (b) For each such element:
 - (1) What marketplace operational experience has BellSouth had with providing it on an unbundled basis, and in various combinations?
 - (2) Is BellSouth able to provide each such element, on an unbundled basis and in combination, at substantial volumes (i.e., numbers, amounts of capacity, and time frames)?
 - (3) What are the charges (recurring and nonrecurring), and what are the methodologies and costs used to determine such charges?

- (4) Is the element being used to provide service to business customers (if so, where and by whom)?
- (5) Is the element being used to provide service to residence customers (if so, where and by whom)?
- (6) Can other carriers obtain and utilize that element at a quality level equal to that obtained by BellSouth? What measurements and measurement tools does BellSouth use to ensure this result?
- (7) May other carriers obtain the element in combination with other elements? If so, does BellSouth perform all functions necessary to combine such elements?
- (8) Has BellSouth placed any limits or conditions on use of the element, alone or in combination with other elements?
- (9) Does BellSouth provide necessary recording and other data to other carriers to allow them to render accurate bills to end users, interconnecting local carriers, and toll carriers?
- (10) What are BellSouth's performance standards? Has BellSouth's performance met these standards? What measurements and measurement tools does BellSouth use to ensure such activities are performed in a nondiscriminatory and proper manner?
- (11) Has BellSouth received written complaints from new entrants regarding its policies or practices concerning unbundled network elements? Is a log of those complaints kept and retained? What

is the basis for such complaints? Have those complaints been resolved, and if so, how?

(12) Has BellSouth refused to provide any unbundled network element identified in the FCC's order or otherwise requested by a carrier, and if so, why?

(13) As to any element that BellSouth may have declined to provide, or provide on an unbundled basis, has it demonstrated technical infeasibility?

(14) Would the requests of multiple competitors affect BellSouth's ability to provide the unbundled element, alone or in combination, or the quality of the provisioned element or combination of elements?

(15) Are there any limits on the number of competitors that can obtain unbundled elements, alone or in combination, or on the numbers of requests that can be processed during a period?

4. Operations Support Systems.

For each exchange, and for each OS to which BellSouth provides or offers to provide access:

(a) Does BellSouth provide or offer access to operations support systems? Is such access available to support the resale of BellSouth retail services, the purchase of unbundled network elements, or both?

- (b) Has such access been subjected to testing procedures that demonstrate that information will be delivered to new entrants in a timely, accurate and useful manner and in a manner that will support competitive market demands?
- (c) Is that access equal to that which BellSouth affords itself? Can other carriers obtain and utilize that access at a quality level equal to that obtained by BellSouth? What measurements and measurement tools does BellSouth use to ensure that access to such systems is (and will be) provided at parity and in a nondiscriminatory manner?
- (d) Is access provided pursuant to uniform interfaces intended for nationwide implementation? When are such standards expected to be met?
- (e) Have OS interface specifications been made available to potential competitors? When? How? How will any future changes to such systems be communicated?
- (f) What is the current capacity of BellSouth's OS Systems (e.g., number and type of transactions that can be processed within specific time frames)? Does BellSouth have any plans to expand such capacity?
- (g) What marketplace operational experience has BellSouth had with each such system in connection with the provision of local exchange service by unaffiliated providers?

- (h) What are the charges (recurring and nonrecurring), if any, for access to OS systems? What methodologies and costs have been used to determine such charges?
- (i) Has BellSouth received written complaints from new entrants regarding access to and performance of OS systems? Has a log of such complaints been kept and retained? What has been the basis for such complaints? Have those complaints been resolved, and if so, how?

5. Resale.

For each exchange:

- (a) What services that it offers to end-users does BellSouth also (i) provide and (ii) refused to provide at wholesale rates, to other carriers for resale?
- (b) What services that it offers to end-users has BellSouth (i) refused to provide, or (ii) refused to provide at wholesale rates, to their carriers for resale?
- (c) What marketplace operational experience has BellSouth had in providing each service for resale?
- (d) For each service provided or offered for resale, what are the wholesale rates? What is the method by which discounts provided pricing plans applicable to such services) for resale?
- (f) At the request of a reseller, does BellSouth rebrand resold operator call completion and directory assistance services? If not, are operator services offered on an unbranded basis?

- (g) Does BellSouth provide all operator functions (e.g., operator billing options, rate quotes) on resold operator call completion services?
- (h) At a reseller's request, does BellSouth route operator call completion and directory assistance calls to the reseller's own facilities?
- (i) Are the services made available by BellSouth for resale of at least equal quality to that provided by BellSouth?
- (j) What services, if any, offered by BellSouth on January 1, 1996 have since been withdrawn?
- (k) What are BellSouth's performance standards? Has BellSouth's performance met these standards? What measurements and measurement tools does BellSouth use to ensure its activities are performed in a non-discriminatory and proper manner?
- (l) Has BellSouth received written complaints from new entrants regarding its resale policies or practices? Is a log of those complaints kept and retained? What is the basis for such complaints? Have those complaints been resolved, and if so, how?

6. Pathways, Poles, Conduits, Ducts, and Rights-of-Way.

For each exchange:

- (a) To which pole attachments, ducts, conduits and rights-of-way does BellSouth provide access?
- (b) To which pole attachments, ducts, conduits, and rights-of-way does BellSouth offer to provide access?

- (c) What (if any) differences exist in access, for BellSouth and its affiliates, on the one hand, and for any other provider on the other hand, to the pathways, poles, conduits, ducts, and rights-of-way controlled by BellSouth? What are the reasons for any differences?
- (d) What (if any) differences exist in access, for BellSouth and its affiliates, on the one hand, and for any other provider on the other hand, to the pathways, poles, conduits, ducts, and rights-of-way not controlled by BellSouth? What are the reasons for any differences? Where differences exist, what are the bases for the claim that BellSouth lacks control of the pathway, pole, conduit, duct, or right-of-way?
- (e) Does BellSouth make available to other carriers its maps, plats, and other relevant data, and the terms and conditions of such availability?
- (f) Does any municipal or other government franchise, grant, or requirement affect a BellSouth's access to pathways, poles, conduits, and rights-of-way differently from that of unaffiliated CLECs? In each such instance, what are those differences?
- (g) What is the operational experience of BellSouth in providing access to pathways, poles, conduits, ducts, and rights-of-way?
- (h) What are BellSouth's performance standards? Has BellSouth's performance met these standards? What measurements and measurement tools does BellSouth use to ensure such activities are performed in a non-discriminatory and proper manner?

- (i) Has BellSouth received written complaints from new entrants regarding its policies or practices concerning access to pathways, poles, conduits, ducts and rights-of-way? Is a log of those complaints kept and retained? What is the basis for such complaints? Have those complaints been resolved, and if so, how?

7. Dialing Parity.

- (a) By exchange and on a statewide basis, what percentage of BellSouth switches are providing dialing parity for (i) local calls, and (ii) intraLATA calls?
- (b) What percentage of BellSouth switches have been equipped to provide dialing parity for intraLATA toll calls? What percentage of access lines do these switches serve? In what exchanges do these switches reside? In what percentage of switches has the intraLATA toll dialing parity capability been tested? What percentage of access lines do these switches serve? In what exchanges do these switches reside?
- (c) Has intraLATA toll dialing parity been implemented in BellSouth's switches using the "FULL 2-PIC" presubscription method? If not, will that method be used?
- (d) How will the costs of providing dialing parity be recovered? How have those costs been determined? How will they be determined?
- (e) What problems have arisen in the implementation of dialing parity for local and intraLATA toll calls?

- (f) Do other carriers experience greater dialing delays or other degradation, as compared to BellSouth, as a result of the dialing parity provided by BellSouth?
- (g) Does BellSouth plan to provide dialing parity for intraLATA toll calls before, or only coincident with, its provision of in-region interLATA services?
- (h) What are BellSouth's performance standards? Has BellSouth's performance met these standards? What measurements and measurement tool does BellSouth use to ensure such activities are performed in a non-discriminatory and proper manner?
- (i) Has BellSouth received written complaints from new entrants regarding its dialing parity policies or practices? Is a log of those complaints kept and retained? What is the basis for such complaints? Have those complaints been resolved, and if so, how?

8. Local Number Portability.

- (a) Is local number portability being provided on an interim or permanent basis?
- (b) What marketplace operational experience has BellSouth had in providing each type of local number portability?
- (c) In which exchanges is interim number portability being provided? In which exchanges is permanent number portability being provided?

- (d) What are the characteristics of any interim arrangements, including cost recovery and service quality implications? What are the type of interim arrangements that have been requested by competing providers and denied by BellSouth?
- (e) When is full number portability scheduled to be implemented? On what terms and conditions will full number portability be implemented? What cost and cost-recovery methodology will apply?
- (f) What steps has BellSouth taken toward implementing full number portability?
- (g) What are BellSouth's performance standards? Has BellSouth's performance met these standards? What measurements and measurement tools does BellSouth use to ensure such activities are performed in a non-discriminatory and proper manner?
- (h) Has BellSouth received written complaints from new entrants regarding its number probability policies or practices? Is a log of those complaints kept and retained? What is the basis for such complaints? Have those complaints been resolved, and if so, how?

9. Number Assignment.

- (a) What are the terms under which carriers, including BellSouth and its affiliates, obtain access to telephone numbers for assignment to each carrier's local exchange customers?

- (b) In what manner is BellSouth managing limitations in numbering resources (e.g., NXX freezes)?
 - (c) Has BellSouth received written complaints from new entrants regarding its numbering administration policies or practices? Is a log of those complaints kept and retained? What is the basis for such complaints? Have those complaints been resolved, and if so, how?
- 10. What are the arrangements, and terms and conditions of the arrangements, for reciprocal compensation (including bill and keep) established between BellSouth and other carriers?
- 11. White Pages Directory Listings.
 - (a) What are the terms pursuant to which BellSouth provides white pages directory listings for customers of other carriers' telephone exchange services?
 - (b) How do those terms differ (if at all) from those BellSouth affords itself, its affiliates, and its customers?
 - (c) Has BellSouth received written complaints from new entrants regarding its directory listings policies or practices? Is a log of those complaints kept and retained? What is the basis for such complaints? Have those complaints been resolved, and if so, how?
- 12. What are the terms pursuant to which BellSouth provides access to 911 and E911 services?
- 13. Transfer of Services Between Providers.

- (a) What are the number of requests for resale orders and unbundled network elements, separately and in combination, that BellSouth can currently process and implement in a single day? In a single week? In any other period?
- (b) What are BellSouth systems in place, their capacity, and other capability to switch local service customers from BellSouth to unaffiliated CLECs? Please provide reports of testing of, and operational marketplace experience with, such systems.
- (c) What are BellSouth systems in place, their capacity, and other capability to switch interLATA customers to BellSouth or a BellSouth affiliate?

14. Ongoing Checklist Compliance.

- (a) What are the procedures to ensure ongoing assessment and enforcement of checklist compliance?
- (b) What are the number of times such procedures have been used to date?
- (c) What is the time required for enforcement?
- (d) What is the success of such enforcement in terms of making injured parties whole, and deterring future noncompliance?
- (e) What is the current status of all challenges pending before state and federal courts and regulatory bodies concerning BellSouth's provision of exchange access, access to unbundled network elements, interconnection, or services for resale, as well as for claims of antitrust violations, business torts, or bad faith?

- (f) Please identify any findings, or settlement without findings, within the last 24 months concerning such matters.
- (g) Please identify any pending legislation that could affect the state commission's regulatory oversight, or ability to enforce its oversight function, of BellSouth's conduct in connection with matters relating to Sections 251, 252, 271, and 272.

15. Separate Affiliate.

- (a) What is the corporate structure through which BellSouth will provide interLATA services?
- (b) What, if any, activities will BellSouth and its interLATA affiliate engage in jointly?
- (c) What, if any, activities will be performed by a single entity, or otherwise jointly, on behalf of both BellSouth and its interLATA affiliate? What entities will perform these activities?
- (d) Will BellSouth's separate interLATA affiliate provide local exchange services? If so, how will it provide those services (e.g., resale, as a marketing agent of BellSouth)?
- (e) Has BellSouth's separate interLATA affiliate already been formed? Do its current revenues exceed its costs and expenses? How has it been capitalized? How is it being funded?

- (f) What, if any, facilities has, or will, BellSouth transfer to its interLATA affiliate? On what basis were those assets, or are they to be, transferred? What has the interLATA affiliate paid for those facilities?
16. Please identify all entities that have been certified or otherwise authorized to provide (a) local exchange services, and (b) exchange access services. What is the geographic area covered by the certification or authorization for each such entity? Does each such certification authorize the provision of facilities-based and/or resale service?
17. Please identify all entities that have requested negotiations with BellSouth pursuant to Sections 251 and 252.
- (a) Has each of those entities entered into a binding agreement approved pursuant to Section 252?
- (b) What are the terms and conditions of any such agreements?
- (c) What is the status of negotiations and/or arbitrations that have not yet resulted in an approved agreement?
- (d) What are the unresolved issues in each of those negotiations and arbitrations?
18. Please provide any BellSouth statements of terms and conditions filed and approved pursuant to Section 252.
- (a) Are there any ongoing state proceedings that deal with a statement of terms and conditions, or concern a matter that a statement of terms and

- conditions incorporates by reference (e.g., tariffs that establish material elements or prices contained in the statement of terms and conditions)?
- (b) Was a statement of terms and conditions affirmatively reviewed in a state commission proceeding that afforded all interested parties a full evidentiary hearing with the opportunity to submit evidence or testimony, and cross examine or rebut proffered evidence or testimony?
 - (c) Is the complete public record for each state's approval process of a statement of terms and conditions available?
19. Is any carrier unaffiliated with a BellSouth providing local exchange services? What type of services is each such carrier providing to (i) business and (ii) residential customers?
20. Please identify, on a statewide, exchange, and per LATA basis:
- (a) the number and percentage, by size (e.g., DSO, DS1), of (i) business loops and (ii) residential loops owned by BellSouth and, separately, its affiliates,
 - (b) the number and percentage, by size (e.g., DSO, DS1), of (i) business loops and (ii) residential loops owned by unaffiliated CLECs,
 - (c) the number and percentage of buildings physically and directly connected to the facilities of (i) BellSouth, and (ii) unaffiliated CLECs,
 - (d) the number and percentage of total end office switches and line-side switch ports in service owned and provided by BellSouth, broken down

by the type of switch (e.g., 5ESS) and geographic area served by the switch,

- (e) the number and percentage of total end office switches and line-side switch ports in service owned and provided by unaffiliated CLECs, broken down by the type of switch (e.g., 5ESS) and geographic area served by the switch,
- (f) the number of BellSouth business loops and residential loops (by size, e.g., DSO, DS1) that are connected to switches owned by unaffiliated CLECs, and
- (g) the number of business loops and residential loops (by size, e.g., DSO, DS1) owned by unaffiliated CLECs that are connected to BellSouth switches.

21. Please identify on a statewide, exchange, and per LATA basis:

- (a) the number of business and residential customer accounts obtaining local exchange service from BellSouth, and separately, its affiliates, and
- (b) the number of business and residential customer accounts obtaining local exchange service from unaffiliated CLECs,

22. On a statewide, exchange, and per LATA basis:

- (a) Please identify the percent of customers to whom each type of local exchange service is offered by, and could be obtained from, a carrier unaffiliated with BellSouth (e.g., residential, Lifeline, CLASS features, business, Centrex, ISDN, etc.).

- (b) To the extent each of these services is available from unaffiliated CLECs, is it being provided by those unaffiliated CLECs on the basis of (i) resale of BellSouth's services, (ii) use of BellSouth's unbundled network elements, and/or (iii) use of facilities owned by unaffiliated CLECs?
- (c) To the extent such services are made available through the use of facilities owned by unaffiliated CLECs, please describe the type of those facilities (e.g., loops, switches, etc.), and the percent of customers that could be served using each such type of unaffiliated CLEC facility.

23. Please state, on a month-by-month basis, BellSouth revenues over the immediately preceding 24 months, indicating amounts derived from (a) residential local exchange services, (b) business local exchange services, (c) IntraLATA toll services, (d) access charges, and (e) other types of services.

24. Please state the percent changes since February 8, 1996 in average retail prices within the state for:

- (a) local exchange business services, and
- (b) local exchange residential services.

25. Reciprocal Compensation

- (a) which reciprocal compensation arrangements does BellSouth have with competitive local exchange carriers?
- (b) if not bill and keep, what methodology is used to determine the costs of terminating each carrier's calls?



Louisiana Public Service Commission

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February 7, 1997

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*Docket No. U-22252, LPSC, ex parte Consideration and Review of BellSouth's
Preapplication Compliance with Section 271 of the Telecommunications Act of 1996.*

Dear Commissioners:

Section 271 of the Telecommunications Act of 1996 authorizes Bell Operating Companies, such as BellSouth Telecommunications, Inc., to petition the Federal Communications Commission ("FCC") for permission to provide "interLATA" services. The law requires the FCC to consult with the United States Department of Justice and with the applicable State commission; and it gives the FCC only 90 days to decide after a Section 271 Application is filed.

The National Association of Regulatory Utility Commissioners ("NARUC") has recommended a set of "best practices" for States and companies to follow in preapplication proceedings. Those "best practices" suggests that States develop a record to support their recommendations to the FCC. The above-referenced docket was established by the Commission at its December Open Session in order to provide the FCC with a record to support the Commission's recommendations.

NARUC also recommended that each State schedule its Section 271 proceedings so that they are concluded by the time that the Bell Operating Company actually files at the FCC under

February 7, 1997

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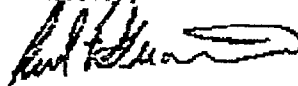
Section 271. This will allow the Commission to forward the record of its proceedings to the FCC at the time when, or immediately after the FCC application is filed, and it will ensure that the FCC and the U.S. Department of Justice have sufficient time to consider the results carefully.

In December, the FCC issued a public notice setting forth its plan for dealing with Section 271 Applications. The FCC process requires comments from state commissions approximately 20 days from issuance of the FCC public notice of the Section 271 filing.

The best way to establish a procedural schedule at the state level in a manner that will allow meaningful input at the FCC level is to base the procedural schedule on BellSouth's filing of a Notice of Intention to file a Section 271 Application with the FCC. The Staff proposal recommends that BellSouth notify the Commission not less than 120 days prior to the date it intends to file an Application with the FCC.

The Staff would propose that the Commission adopt the procedural schedule attached hereto as Exhibit "A."

Sincerely,



Paul F. Guarisco
Staff Attorney

Exhibit APROPOSED PROCEDURAL SCHEDULE, Docket U-22252

<u>Timing</u>	<u>Description</u>
February 24, 1997	BST files Notice of Intent with LPSC and discovery begins, with 15 day turnaround for responses.
March 14, 1997	BST files direct testimony.
April 7, 1997	Intervenors file direct/rebuttal testimony.
April 25, 1997	BST files rebuttal testimony.
April 28, 1997	Status Conference.
May 12-14, 1997	Hearings.
May 23, 1997	Post-Hearing Briefs due.
June 9, 1997	ALJ submits final recommendation to LPSC.
June 18, 1997	LPSC considers ALJ recommendation.
June 24, 1997	BST files Application with FCC on or after this date.
Application plus 20 days	PSC and interested parties file comments with FCC.
Application plus 45 days	Reply comments filed with FCC.
Application plus 90 days	FCC rules on Application.

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. P-55, SUB 1022

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of BellSouth Telecommunications, Inc.)
To Provide In-Region InterLATA Service Pursuant to) PROCEDURAL ORDER
Section 271 of the Telecommunications Act of 1996)

BY THE CHAIRMAN: Section 271 of the Telecommunications Act of 1996 (TA96) provides for the entry of Bell Operating Companies (BOCs) into the in-region interLATA market upon the satisfaction of certain conditions. The relevant BOC must make an application to the Federal Communications Commission (FCC) for such authority. The FCC must act on this application within 90 days. Section 271(d)(2)(B) contains a provision that the FCC must consult with the relevant State commission regarding the application. Before the authority can be granted, the BOC must have satisfied the conditions set out in Section 271(c).

After careful consideration, the Chairman concludes that good cause exists to require BellSouth Telecommunications, Inc. (BellSouth) to do the following:

1. Within fourteen days of the issuance of this Order, BellSouth shall advise the Commission of its plans to file an application with the FCC to provide in-region interLATA service.

2. Not less than ninety days prior to the application to the FCC, BellSouth shall notify the Commission of its intent to file an application with the FCC. Such notification shall include:

a. The evidence to be relied upon to show that BellSouth has met either the requirements of Section 271(c)(1)(A) relating to the presence of a facilities-based carrier or Section 271(c)(1)(B) relating to a statement of generally available terms and conditions.

b. The evidence to be relied upon to show that each requirement of the Section 271 competitive checklist has been met.

c. The evidence to be relied upon to show the extent to which BellSouth is providing access and interconnection to its network facilities for the network facilities of one or more unaffiliated competing providers of telephone exchange service to residential and business subscribers.

d. The evidence to be relied upon to show compliance with the public interest requirement of Section 271.

It is the Chairman's intent that the Commission conduct a proceeding so that the Commission will be prepared to respond to the FCC's request for consultation. Once BellSouth has made its filings in compliance with the provisions above, a further Order will promptly be issued detailing further procedure.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 21st day of August, 1996.

NORTH CAROLINA UTILITIES COMMISSION

Gail L. Mount

Gail Lambert Mount, Deputy Clerk

dw081996.01

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-018-C - ORDER NO. 96-753
OCTOBER 31, 1996

IN RE: Generic Docket to Address Local	)	ORDER
Competition in the Telecommunications	)	APPROVING
Industry in South Carolina.	)	PLAN

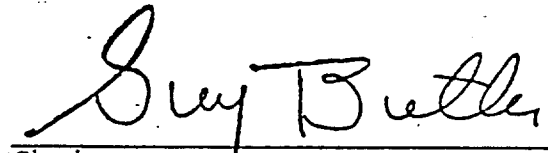
This matter comes before the Public Service Commission of South Carolina (the "Commission"). The Telecommunications Act of 1996 (the "Act") requires under its Section 271 that the Federal Communications Commission (the "FCC") consult with state utility commissions for particular information. The purpose of such consultations is to verify that the Bell Operating Company in that state is in compliance with the Act. Such consultation and review would occur when the Bell Operating Company requests entry into interLATA services in that state. This Commission therefore must be prepared to provide the requested information to the FCC as contemplated in the Act.

In preparation for assimilation of this information, Staff has proposed a Plan to assist in preparing for a consultation with the FCC. The seven (7) page Plan and its cover sheet are attached to this Order. We hereby adopt the plan in full and incorporate it by reference herein. We note that the Plan is based on the "checklists" provided in the Act and is to be followed in furtherance of the goals of the Act. We hereby reserve the right


to amend this Plan if necessary in the future.

This Order shall remain in full force and effect until
further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director
(SEAL)

RUDOLPH MITCHELL

Chairman

GUY BUTLER

Vice Chairman

CECIL A. BOWERS

Commissioner

WARREN D. ARTHUR, IV

Commissioner

WILLIAM "BILL" SAUNDERS

Commissioner

C. DUKES SCOTT

Commissioner

PHILIP T. BRADLEY

Commissioner



CHARLES W. BALLENTINE

Executive Director

(803) 737-5120

GARY E. WALSH

Deputy Executive Director

(803) 737-5133

Public Service Commission

TO: ALL COMMISSIONERS
FROM: GARY E. WALSH, DEPUTY EXECUTIVE DIRECTOR *GEW*
DATE: OCTOBER 4, 1996
IN RE: SECTION 271 FEDERAL TELECOMMUNICATIONS ACT OF 1996

WITH THIS MEMO I AM PROVIDING ALL COMMISSIONERS WITH A COPY OF THE STAFF PROPOSED PLAN OF ACTION AS IT RELATES TO SECTION 271 OF THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

I PLAN ON PRESENTING THIS TO THE COMMISSION IN THE COMMISSION MEETING SCHEDULED FOR THE WEEK OF OCTOBER 14, 1996.

ISSUES, INFORMATION AND PROCEDURE FOR ORDER AND HEARING
OF BELLSOUTH'S ENTRY INTO IN-REGION TOLL MARKET

PURPOSE - To fulfill the Commission's responsibility under Section 271(d)(2)(B); to provide consultation to the FCC regarding BOC's compliance with Section 271 for providing in-region toll service.

The following statement requesting that BellSouth notify the Commission of its intent to submit an application to the FCC and instructing Staff to collect information as recommended by the FCC was taken from Docket No. 96-231-C, Order No. 96-469.

"We further hold that a public hearing may be held by the Commission relating to the provisions of Section 271 of the Act, and consistent with any guidelines or recommendations set forth regarding this matter by the Federal Communications Commission. BellSouth is to notify the Commission of its intent to submit an application to the Federal Communications Commission for certification under Section 271 of the Telecommunications Act of 1996 in sufficient time to allow the Commission to conduct their review and hearing. BellSouth is to provide such notification to the Commission in conjunction with any Section 251 or 252 filing which would trigger its application under Section 271. The burden of proof shall be on BellSouth to demonstrate compliance with all requirements of Section 271 of the Act. In addition, we instruct the Commission Staff to collect information as it pertains to requirements under Section 271 consistent with the information deemed necessary under that Section of the Act and as set forth through guidelines or recommendations of the Federal Communications Commission."

The Act requires the FCC to render a decision on a BOC's application within 90 days after receiving it. As stated in Section 271 (d)(2)(B) before making the determination, the FCC shall consult with the State Commission to verify the BOC's compliance.

" (B) Consultation with state commission.--Before making any determination under this subsection, the Commission shall consult with the State Commission of any State that is the subject of the application in order to verify the compliance of the Bell operating company with the requirements of subsection (c).

SUGGESTED TIMETABLE AND FORMAT FOR ORDER AND HEARING
OF BELL SOUTH'S ENTRY INTO IN-REGION TOLL MARKET

- A. BellSouth will be asked to notify the PSC as soon as possible but not less than 120 days before they apply with the FCC for authority to enter into the interLATA market.
- B. BellSouth will file the responses to the questions that will be attached to the order on the same day when they notify PSC of their decision to apply for authority with the FCC.
- C. BellSouth will file their initial testimony with the application.
- D. A notice will be issued to all interested parties within 5 days after BellSouth notification to the PSC.
- E. All interested parties will have 20 days to respond to notice.
- F. All interested parties will receive copy of the filing within 5 days of their response.
- G. All interested parties will have 20 days to identify issues and issue discoveries to BellSouth.
- H. A pre-hearing conference will be scheduled. A written list of issues will be presented.
- I. BellSouth will have 25 days to respond to discoveries.
- J. All interested parties will have 10 days for clarification of discoveries' issues.
- K. All other parties will pre-file their testimonies 20 days after clarification of issues.
- L. BellSouth will file supplemental testimony the same date when the other parties pre-file their testimonies.
- M. Hearing will be scheduled before filing with the FCC.
- N. At the time evidence is filed with this Commission, BellSouth should provide the material to the U.S. Department of Justice and the FCC. Bell South should work with the Commission to assure confidentiality of information as appropriate.

APPENDIX A

1. Provide information to the Commission demonstrating that BellSouth meets the requirements of section 271(c)(1)(A) of the Telecommunication Act of 1996.
2. Provide information to the Commission demonstrating that BellSouth meets the requirements of section 271(c)(1)(B) of the telecommunications Act of 1996.
3. Provide information to the Commission demonstrating that BellSouth has provided interconnection in accordance with requirements of sections 251(c)(2) and 252(d)(1) of the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(i) and applicable rules promulgated by the FCC.
4. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1) of the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(ii) and applicable rules promulgated by the FCC.
5. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to the poles, ducts, conduits, and right-of-way owned or controlled by BellSouth at just and reasonable rates in accordance with the requirements of sections 224 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(iii) and applicable rules promulgated by the FCC.
6. Provide information to the Commission demonstrating that BellSouth has unbundled the local loop transmission between the central office and the customer's premises from local switching or other services, pursuant to 271(c)(2)(B)(iv) and applicable rules promulgated by the FCC.
7. Provide information to the Commission demonstrating that BellSouth has unbundled the local transport on the trunk side of a wireline local exchange carrier switch from switching or other services, pursuant to 271(c)(2)(B)(v) and applicable rules promulgated by the FCC.
8. Provide information to the Commission demonstrating that BellSouth has unbundled local switching from transport, local loop transmission, or other services, pursuant to 271(c)(2)(B)(vi) and applicable rules promulgated by the FCC.

9. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to the following, pursuant to 271(c)(2)(B)(vii) and applicable rules promulgated by the FCC:
 - (a). 911 and E911 services;
 - (b). directory assistance services to allow the other telecommunications carrier's customers to obtain telephone numbers; and
 - (c). operator call completion services.
10. Provide information to the Commission demonstrating that BellSouth has provided white pages directory listings for customers of other telecommunications carrier's telephone exchange services, pursuant to 271(c)(2)(B)(viii) and applicable rules promulgated by the FCC.
11. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to the telephone numbers for assignment to the other telecommunications carrier's telephone exchange service customers, pursuant to 271(c)(2)(B)(ix) and applicable rules promulgated by the FCC.
12. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to databases and associated signaling necessary for call routing and completion, pursuant to 271(c)(2)(B)(x) and applicable rules promulgated by the FCC.
13. Provide information to the Commission demonstrating that BellSouth has provided number portability, pursuant to 271(c)(2)(B)(xi) and applicable rules promulgated by the FCC.
14. Provide information to the Commission demonstrating that BellSouth has provided nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3) of the Telecommunication Act of 1996, pursuant to 271(c)(2)(B)(xii) and applicable rules promulgated by the FCC.
15. Provide information to the Commission demonstrating that BellSouth has provided reciprocal compensation arrangements in accordance with the requirements of section 252(d)(2) of the Telecommunication Act of 1996, pursuant to 271(c)(2)(B)(xiii) and applicable rules promulgated by the FCC.

16. Provide information to the Commission demonstrating that BellSouth has provided telecommunications services available for resale in accordance with the requirements of section 251(c)(4) and 252(d)(3) of the Telecommunication Act of 1996, pursuant to 271(c)(2)(B)(xiv) and applicable rules promulgated by the FCC.

APPENDIX B

PROVIDE THE FOLLOWING INFORMATION TO THE COMMISSION:

1. Identify the entities that have requested interconnection; unbundled elements or to resell service from BellSouth.
2. Specify types of interconnection, unbundled elements requested, date request made, date BellSouth and entity entered into binding agreement, and provide complete copy of agreement (including prices charged) and proof of State approval.
3. Number of access lines in the state that are served by entity or entities that BellSouth considers to be local competitors compared to number of access lines that BellSouth serves in the state.
4. Scope of geographic areas, and the number and types of customers for which the competitor's services are available compared to BellSouth's scope of geographic area, and the number and types of customers in the state for which BellSouth services are available.
5. Extent to which each competitor is using own facilities, or using, unbundled elements or resold services obtained from BellSouth.
6. The average provisioning intervals and maintenance times for services that BellSouth provides to competitors compared with those it provides itself.
7. Number of locations of BellSouth switches in state that are connected to local loops served by competitors.
8. Number, type and location of switches that BellSouth has in the state.
9. Amount of revenues that BellSouth derived in the most recent year preceding that in which the application is filed, indicating the amounts derived from:
 - a. basic local residential services.
 - b. basic local business services.
 - c. intraLATA toll
 - d. access charges
 - e. other types of services.

10. Any reports, studies or analyses available, and created within the past year preceding the application, that contain market share information of BellSouth and local telephone service competitors; or compare volumes of traffic, revenues of BellSouth and local competitors; or evaluate the likely entry, success or rate of growth of competitors or potential competitors.
11. Description and current status of all complaints made to BellSouth, to the state Commission and FCC or to other governmental authorities by carriers, competitors, or entities that requested interconnection, access or the ability to resell BellSouth services in the state of South Carolina.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION CONCERNING THE)	
PROPRIETY OF PROVISION OF)	
INTERLATA SERVICES BY BELL SOUTH	)	CASE NO.
TELECOMMUNICATIONS, INC. PURSUANT	)	96-608
TO THE TELECOMMUNICATIONS ACT)	
OF 1996)	

O R D E R

On February 7, 1997, AT&T Communications of the South Central States, Inc. ("AT&T") moved for full intervention in this proceeding and further moved that the Commission establish a procedural schedule. In addition, AT&T requested that the Commission require BellSouth Telecommunications, Inc. ("BellSouth") to notify it no later than 90 days prior to filing an application with the Federal Communications Commission ("FCC") for authority to provide in-region interLATA service in Kentucky. AT&T further requested that the Commission require BellSouth to respond to data requests attached as Exhibit C to the motion.

After considering the motion and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

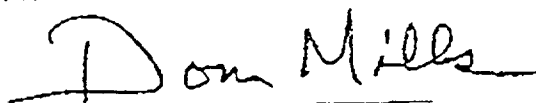
1. AT&T's motion for intervention is granted.
2. Within 30 days of the date of this Order, BellSouth shall respond to the data requests set forth in AT&T's Exhibit C to its February 7, 1997 motion and shall remain under a continuing obligation to supplement its responses as appropriate.

3. BellSouth shall notify the Commission and other parties to this proceeding no later than 90 days before filing its application with the FCC for authority to provide in-region interLATA service in Kentucky.

Done at Frankfort, Kentucky, this 14th day of February, 1997.

By the Commission

ATTEST:



Executive Director

